

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JILL McNEARNEY,

Plaintiff,

v.

WASHINGTON DEPARTMENT OF
CORRECTIONS and DR. STEVEN
HAMMOND,

Defendants.

No. C11-5930 RBL/KLS

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

(1) The Court adopts the Report and Recommendation and **GRANTS** Defendants' Motion for Modification of Court's Injunction Order. ECF No. 44.

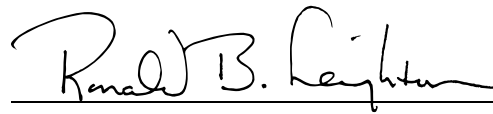
(2) The Court modifies the Injunction Order (ECF No. 27) on page 28 (adopted by Order at ECF No. 36), as follows:

5) If the Defendants do not oppose the treatment recommendation by the foot and ankle specialist at the Foot and Ankle Institute at Harborview Medical Center, the Defendants shall authorize, perform, and/or facilitate the recommended treatment should Ms. McNearney elect to have the recommended surgical procedure while she is in the custody of the Department of Corrections.

6) This order will automatically terminate upon the release of the Plaintiff from the Department of Corrections' custody.

1 (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for
2 Defendants and to the Hon. Karen L. Strombom.

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4 **DATED** this 31st day of January, 2013.

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8 Ronald B. Leighton
9 United States District Judge
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